

ROBERT S. YOUNG, JR.
LINDSAY YOUNG
ROBERT S. MARQUIS
ROBERT S. STONE
J. CHRISTOPHER KIRK
MARK K. WILLIAMS
JANIE C. PORTER
GREGORY E. ERICKSON
R. SCOTT ELMORE
TAMMY KAOUSIAS
BENET S. THEISS

McCAMPBELL & YOUNG

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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H. B. McCAMPBELL, JR. (1905-1974)
GRAHAM BARTLETT (1920-1962)

JAN 27 1993

ALSO ADMITTED IN
VIRGINIA:

ROBERT S. MARQUIS

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

January 26, 1993

DOCKET FILE COPY ORIGINAL

Via Federal Express

The Honorable Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: MM Docket No. 92-307
File Nos. BPCT-910617KE and BPCT-910825KE
Panama City Beach, Florida TV Channel 46

Dear Ms. Searcy:

Enclosed please find an original and six copies of a Petition for Leave to Amend submitted herewith in the above-referenced matter on behalf of our client in this proceeding, Sunkissed Broadcasting, Inc. Also enclosed is an additional copy of the Petition for Leave to Amend to be returned to us in the enclosed postage paid, self-addressed envelope after it has been date stamped by your office. Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Very truly yours,

MCCAMPBELL & YOUNG, P.C.

By:

Robert S. Stone

RSS/dlb
Enclosures

cc: Sunkissed Broadcasting, Inc.

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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JAN 27 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	MM Docket No. 92-307
)	
SUNKISSED BROADCASTING, INC.)	File No. BPCT-910617KE
)	
BEACH TV PROPERTIES, INC.)	File No. BPCT-910825KE
)	
For Construction Permit for)	
A New Commercial Television)	
Station on Channel 46 in)	
Panama City Beach, Florida)	
TO: Honorable Joseph P. Gonzalez		
Administrative Law Judge		

PETITION FOR LEAVE TO AMEND

Sunkissed Broadcasting, Inc. ("Sunkissed"), by counsel, and pursuant to §§ 1.65 and 73.3522(b)(1) of the Commission's rules and regulations, hereby respectfully submits its Petition for Leave to Amend so as to resubmit its Petition for Leave to Amend filed September 11, 1992 and directed to the Television Branch, Video Services Division, Mass Media Bureau. In support whereof, the following is shown:

1. As noted above, Sunkissed filed an update amendment with the Commission on September 11, 1992 in accordance with the Commission's rules governing the acceptance of predesignation amendments to applications for new facilities. The amendment was returned to counsel for Sunkissed by the Chief, Television Branch, however, because the staff had already completed its processing of the application. A copy of the Commission's September 17, 1992 letter explaining the Television Branch's action is attached.

2. Consistent with the Commission's suggestion, Sunkissed's amendment is resubmitted herewith for association with its application. As set forth in its September 11, 1992 Petition, good cause exists for acceptance of the amendment, for the reasons stated therein.

WHEREFORE, premises considered, Sunkissed Broadcasting, Inc. respectfully requests the Presiding Officer to grant the instant Petition and to accept the amendment proffered herewith for association with its application.

DATED this 26th day of January, 1993.

Respectfully Submitted,

SUNKISSED BROADCASTING, INC.

MCCAMPBELL & YOUNG, P.C.
Attorney for Sunkissed Broadcasting, Inc.

By: 
Robert S. Stone

MCCAMPBELL & YOUNG
A Professional Corporation
2021 Plaza Tower
Post Office Box 550
Knoxville, Tennessee 37901-0550
(615) 637-1440

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

SEP 17 1992

IN REPLY REFER TO:
1800E1-SH

Robert S. Stone, Esq.
McCampbell & Young
2021 Plaza Tower
P. O. Box 550
Knoxville, TN 37901-0550

Re: BPCT-910617KE
Panama City Beach, FL
Channel 46

Dear Mr. Stone:

This refers to your September 9, 1992, amendment to the above captioned application for a new commercial television station to operate on Channel 46, Panama City Beach, Florida.

The staff has completed its processing of your application and designation for hearing is imminent. To accept your amendment at this time would disrupt the orderly dispatch of the Commission's business and would unduly delay the proceeding. Therefore, in accordance with Section 73.3522(a) (2) of the Commission's Rules, your amendment is returned herewith without consideration. You may, of course, resubmit your amendment at the appropriate time to the presiding Administrative Law Judge.

Sincerely,



Clay C. Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau

ROBERT S. YOUNG, JR.
LINDSAY YOUNG
ROBERT S. MARQUIS
ROBERT S. STONE
J. CHRISTOPHER KANE
MARK K. WILLIAMS
JANIE C. PORTER
GREGORY E. ERICKSON
R. SCOTT ELMORE

McCAMPBELL & YOUNG

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

2021 PLAZA TOWER
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KNOXVILLE, TENNESSEE 37901-0550

(615) 637-1440
TELECOPIER (615) 546-9731

September 9, 1992

H. H. McCAMPBELL, JR. (1905-1974)
F. GRAHAM BARTLETT (1920-1982)

ALSO ADMITTED IN
VIRGINIA:

ROBERT S. MARQUIS

RECEIVED
SEP 11 1992
MAIL BRANCH

The Honorable Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

ATTN: Television Branch
Video Services Division
Mass Media Bureau

Re: Amendment to Application for Television Construction Permit
Panama City Beach, Florida
Sunkissed Broadcasting, Inc. (File No. BPCT-910617KE)

Dear Ms. Searcy:

Enclosed please find an original and four (4) copies of a Petition for Leave to Amend and accompanying amendment, filed herewith on behalf of our client in the above proceeding, Sunkissed Broadcasting, Inc. Also enclosed is an additional copy of the Petition and amendment to be returned to us in the enclosed postage paid, self-addressed envelope after it has been date stamped by your office.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Very truly yours,

MCCAMPBELL & YOUNG, P.C.

By: 

Robert S. Stone

Counsel to Sunkissed Broadcasting, Inc.

RSS/dlb

Enclosures: Petition for Leave to Amend
Accompanying Amendment

cc: Sunkissed Broadcasting, Inc. (for Public File)
Henry A. Solomon, Esq.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Application of)
)
SUNKISSED BROADCASTING, INC.)
)
For a Construction Permit for)
a new TV Station on Channel 46,)
in Panama City Beach, Florida)

File No. BPCT-910617KE

RECEIVED

To: Television Branch
Video Services Division
Mass Media Bureau

SEP 11 1992

MAIL BRANCH

PETITION FOR LEAVE TO AMEND

Sunkissed Broadcasting, Inc. ("Sunkissed"), by counsel, and pursuant to §§ 1.65 and 73.3522(a)(6) of the Commission's rules and regulations, hereby respectfully submits its Petition for Leave to Amend so as to report updated information relating to the ownership interests in and/or connections with other broadcast stations and/or applications held by principals of the applicant. In support whereof, the following is shown:

1. The amendment, proffered herewith, reports that, since the applicant's most recent amendment filed February 4, 1992, certain changes have occurred with respect to the interests of each principal of Sunkissed in other broadcast related matters.¹ The amendment thus modifies information now contained in Exhibit 1, as amended, now on file as part of Sunkissed's application. The amendment is thus required by § 1.65 of the Commission's rules.

¹ Subsequent to the preparation of the attached amendment, an application was filed with the Commission for consent to voluntary transfer of control of Reliance Broadcasting, Inc., licensee of WBTR-FM, Carrollton, Georgia, from F.J. Damewood, III (a/k/a John King) to Kenneth L. Bazzle, 33 1/3% voting shareholder/equity owner of Sunkissed on FCC Form 316 (BTCH-920821HR). Upon consummation thereof, Sunkissed shall further amend its application reflecting the above.

2. In addition to the above, "good cause" exists for acceptance of the amendment proffered herewith. The applicant has prepared and filed the amendment diligently. While the amendment was, technically speaking, required by the voluntary act of the applicant, no modification or addition of issues or parties would be required by its acceptance. Because Sunkissed's application has not been designated for hearing, the proposed amendment would not disrupt the orderly conduct of any hearing or necessitate additional hearings. Finally, the applicant would not gain a competitive or comparative advantage by virtue of the amendment. Consequently, no other party could be unfairly prejudiced by the acceptance of the amendment. *Erwin O'Connor Broadcasting Company*, 22 FCC 2d 140, 143, 18 R.R.2d 820, 824 (Rev. Bd. 1970).

WHEREFORE, premises considered, Sunkissed Broadcasting, Inc. respectfully requests the Television Branch, Video Services Division, Mass Media Bureau to grant the instant Petition and to accept the amendment proffered herewith for association with its application now on file at the Commission.

Respectfully Submitted,

SUNKISSED BROADCASTING, INC.

MCCAMPBELL & YOUNG, P.C.

Attorney for Sunkissed Broadcasting, Inc.

By: _____


Robert S. Stone

MCCAMPBELL & YOUNG
A Professional Corporation
2021 Plaza Tower
Post Office Box 550
Knoxville, TN 37901-0550
(615) 637-1440

September 9, 1992

AMENDMENT

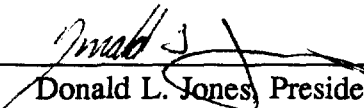
Donald L. Jones, president/treasurer/director/50% voting shareholder (33⅓% equity owner) of the applicant herein, reports that since the applicant's most recent amendment filed February 4, 1992, the application of Jupiter Broadcasting Limited Partnership for FM construction permit for Jupiter, Florida (File No. BPH-890914NK) was dismissed on February 14, 1992 in MM Docket No. 91-85 at the request of the applicant. On March 9, 1992, Mr. Jones' construction permit for low power television station to serve Daytona Beach, Florida (DW53AW) was cancelled. On May 29, 1992, Mr. Jones' construction permits for low power television stations for Sebastian, Florida (DW17BC) and Cocoa Beach, Florida (DW59BY) were cancelled. On May 28, 1992, Mr. Jones' application for FM construction permit for Smithville, Georgia (BPH-910503MP) was granted.

William H. Sanders, secretary/director/33⅓% non-voting shareholder (33⅓% equity owner) of the applicant herein, reports that since the applicant's most recent amendment filed February 4, 1992, that the application for consent to assignment of license of KDXR(FM), Borger, Texas from Sanders to South Central Broadcasting (BALH-911212GT) was granted February 19, 1992. The application for renewal of license of KDXR was granted February 14, 1992. On March 6, 1992, the Commission granted applications for consent to assignment of license of WNOO(AM), Chattanooga, Tennessee and WFXS(FM), Soddy-Daisy, Tennessee to Tennessee Communications Limited Partnership, debtor in possession. Sanders serves as Secretary/Director and 85% shareholder of Chattanooga Radio, Inc., general partner of Tennessee Communications Limited Partnership.

Kenneth L. Bazzle, 33⅓% voting shareholder (33⅓% equity owner) of the applicant herein, reports that since the applicant's most recent amendment filed February 4, 1992, an amendment was filed to the application of Reliance Broadcasting, Inc. for construction permit for new FM station for Bowdon, Georgia (BPH-910331ME) on March 2, 1992 to reflect the assignment of the application from Reliance Broadcasting, Inc. to Jeffrey P. Davis, president, treasurer, director, and 33⅓% shareholder of Reliance Broadcasting, Inc.

DATED this 25 day of August, 1992.


SUNKISSED BROADCASTING, INC.

By: 
Donald L. Jones, President

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Petition for Leave to Amend has been served, this 9th day of September, 1992, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier.

Henry A. Solomon, Esq.
Haley, Bader & Potts
2000 M Street, N.W., Suite 600
Washington, D.C. 20036
Counsel to Beach TV Properties, Inc.


Robert S. Stone

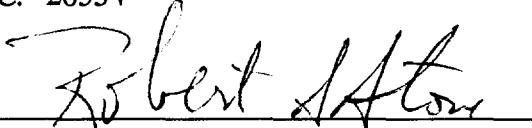
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Petition for Leave to Amend has been served, this 26th day of January, 1993, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier.

Henry A. Solomon, Esq.
Haley, Bader & Potts
Suite 900
1450 North Fairfax Drive
Arlington, VA 22203-1633
Counsel to Beach TV Properties, Inc.

Honorable Joseph P. Gonzalez
Administrative Law Judge
Federal Communications Commission
2000 L Street N.W., Room 221
Washington, D.C. 20554

James Shook, Esq.
Hearing Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554


Robert S. Stone